

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER B. MACCANNELL,
Plaintiff,
vs.
KATHLEEN A. MCCLARY,
Defendant.

NO. CV-06-163-LRS

ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE FOR FAILURE TO INFORM
COURT OF CURRENT ADDRESS

By Order filed June 21, 2006, the court advised Plaintiff of the deficiencies of his complaint and directed him to amend or voluntarily dismiss within sixty (60) days (Ct. Rec. 15). On June 26, 2006, the court received a letter and "exhibits" from Mr. MacCannell. In the letter dated June 23, 2006, Plaintiff used a return address at the Spokane County Jail, but indicated he wished the court to send an "acknowledgment" to an address at the Geiger Correction Center.

Plaintiff then submitted a letter dated July 6, 2006, stating a guard at Geiger Correction Center had discarded the legal materials sent by this court on June 21, 2006. The District Court Executive responded with a letter dated July 12, 2006, addressed to Plaintiff at the Geiger Correction Center, and provided Plaintiff with copies of the Orders and motion. On July 24, 2006, these documents were

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1 returned as undeliverable with the notation that Plaintiff had been
2 moved from Geiger. The documents were then sent to the Spokane County
3 Jail, but returned on July 28, 2006, with the notation that Mr.
4 MacCannell was "not in Jail." Plaintiff has not kept the court
5 apprized of his change of address and has filed nothing further in
6 this action.

7 In reference to the June 23, 2006 letter, Plaintiff is advised
8 exhibits should not be submitted with a complaint. Instead, the
9 relevant information contained in an exhibit should be paraphrased in
10 the complaint. Plaintiff should keep his exhibits to use to support
11 or oppose a motion for summary judgment or a motion to dismiss, or for
12 use at trial.

13 At this time, the court has attempted, but has been unable, to
14 locate a current address for Plaintiff. Plaintiff has not amended the
15 complaint as directed (indeed, it appears he has not yet received the
16 court's directive) and he has not prosecuted this action further.
17 Therefore, **IT IS ORDERED** Plaintiff's complaint is **DISMISSED WITHOUT**
18 **PREJUDICE** for failure to notify the District Court Executive regarding
19 his change of address.

20 **IT IS SO ORDERED.** The District Court Executive is directed to
21 enter this Order, forward a copy to Plaintiff at his last known
22 address, and close the file.

23 **DATED** this 25th day of August, 2006.

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25 ***s/Lonny R. Suko***

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LONNY R. SUKO
UNITED STATES DISTRICT JUDGE

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